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Message Text

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45
ACTION DRC-01

INFO OCT-01 EUR-12 ISO-00 L-03 OMB-01 SSO-00 /018 W
---------- 105582
O P 181900Z AUG 75
FM USMISSION USBERLIN
TO SECSTATE WASHDC IMMEDIATE 1323
INFO AMEMBASSY BONN PRIORITY

LIMITED OFFICIAL USE BERLIN 1678

E.O. 11652: N/A
TAGS: AINF
SUBJECT: IMPLEMENTATION OF PRIVACY ACT OF 1974

REFS: (A) USBERLIN 1510; (B) STATE 172353;
(C) STATE 193863

1. SUMMARY: FOLLOWING IS INFO ON BERLIN DOCUMENT CENTER (BDC) AS REQUESTED BY REF C, PLUS MISSION COMMENTS ON EFFECT OF INCLUSION OF BDC UNDER PROVISION OF PRIVACY ACT. END SUMMARY.

2. THE FOLLOWING INFO CORRESPONDS TO THE FORMAT CONTAINED IN REF B:

I. BERLIN DOCUMENT CENTER (BDC)

II. RECORDS ARE DIVIDED INTO FOUR MAJOR BIOGRAPHIC RECORDS GROUPS, AND SUBDIVIDED INTO VARIOUS RECORDS SERIES. FOUR GROUPS ARE:

A. NSDAP (NAZI PARTY) MEMBERSHIP RECORDS:

B. SS RECORDS:

C. RECORDS OF NSDAP-AFFILIATED ORGANIZATIONS, SUCH SA, NS TEACHERS ' ORGANIZATION AND ROSTER OF GERMAN PHYSICIANS; AND
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D. RECORDS OF STATE AND SEMI-STATE ORGANIZATIONS, SUCH AS REICH CHAMBER OF CULTURE, PEOPLES COURTS, GERMAN RETURNEES, AND IMMIGRANTS.

III. BIOGRAPHIC RECORDS

IV. ALLIED CONTROL COUNCIL DIRECTIVES OF 1946; AND E.O. 10608.

V. USG AGENCIES, US SCHOLARS, FRG OFFICIAL AGENCIES AND OTHER ALLIED AGENCIES AND AUTHORIZED SCHOLARS (AGENCIES AND SCHOLARS OF USSR AND GDR ARE EXCLUDED).

VI. RECORDS MAINTAINED ARE IN MOST CASES ORIGINAL DOCUMENTS. SS RECORDS HAVE BEEN COMPUTERIZED ALPHABETICALLY. IN ADDITION, 80 PERCENT OF BDC HOLDINGS HAVE BEEN MICROFILMED AND ARE PRESENTLY STORED AT US MISSION, WHICH IS LOCATED SOME THREE MILES FROM BDC ITSELF. BDC IS IN ENCLOSED COMPOUND WITH 24 HOUR MILITARY GUARD. EACH INDIVIDUAL INQUIRY IS SCREENED BY ETIHER BDC DIRECTOR OR DEPUTY DIRECTOR OR BY SELECT GROUP OF EVALUATORS TO DETERMINE AUTHENTICITY. RECORDS ARE MAINTAINED ON CONTINUAL BASIS.

VII. SYSTEM MANAGER IS BDC DIRECTOR, DANIEL P. SIMON WHO IS SUPERVISED BY POST ADMINISTRATIVE OFFICER.

VIII. NOT APPLICABLE (DATA INPUT CEASED IN MAY 1945).

3. IN EVENT THAT DEPARTMENT MAKES FINAL DETERMINATION THAT BDC FALLS WITHIN PURVIEW OF PRIVACY ACT, WE WOULD SEE NO PARTICULAR DIFFICULTY ABOUT PERMITTING US CITIZENS OR RESIDENT ALIENS ACCESS TO BDC RECORDS FOR THE PURPOSE OF DETERMINING WHETHER THERE ARE FACTUAL INACCURACIES IN FILES. HOWEVER, IN VIEW OF FACT THAT BDC RECORDS ARE ORIGINAL GERMAN RECORDS, COMPLIED BY ORGANIZATIONS OF THIRD REICH PRIOR TO MAY

1945, WE DOUBT THAT EITHER MISSION OR DEPARTMENT WOULD BE ABLE TO MAKE DIFINITIVE DETERMINATION OF WHETHER MATERIAL IS OR IS NOT ACCURATE. FOR EXAMPLE, SHOULD AN INDIVIDUAL DENY MEMBERSHIP IN NAZI PARTY OR SS, WE WOULD NOT NORMALLY BE ABLE DETERMINE WHETHER GERMAN RECORD WAS ACCURATE. PROBABLY ALL WE COULD DO WOULD BE TO STATE WHAT GERMAN RECORDS CONTAIN AND COMMENT IA A GENERAL WAY ON MANNER IN WHICH TYPE OF

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INFO CONCERNED WAS COMPILED.

4. MISSION WOULD APPRECIATE CLARIFICATION,
IN EVENT BDC IS COVERED BY ACT, OF GROUND RULES UNDER
WHICH BDC MIGHT RESPOND TO REQUESTS IN FUTURE FROM
OTHER USG AGENCIES (FOR EXAMPLE, INS) FOR INFO. WE
WOULD ALSO LIKE TO KNOW WHETHER BDC WOULD BE REQUIRED,
WHEN IT RECEIVES REQUEST FROM FRIENDLY FOREGIN
GOVERNMENT OR LEGITIMTATE SCHOLAR, TO DETERMINE IF
SUBJECT OF REQUEST HAD SUBSEQUENTLY BECOME US CITIZEN
OR RESIDENT ALIEN. WE WONDER IF DISTINCTION MIGHT
NOT BE MADE BETWEEN CASE WHERE RECORD ITSELF INDICATES
PERSON WAS US CITIZEN (THERE MAY WELL BE NO RECORDS
WITH SUCH INFO) AND CASE WHERE FILE INDICATES
INDIVIDUAL WAS GERMAN OR THIRD-COUNTRY NATIONAL AT
TIME IT WAS COMPILED BY NAZI GOVT. IN LATTER CASES,
PRESUMABLY THERE WOULD BE NO NEED TO RESTRICT CURRENT
BDC PRACTICE OF COMPLYING WITH REQUESTS FROM OTHER
USG AGENCIES, FRIENDLYFOREIGN GOVERNMENTS AND
LEGITIMATE SCHOLARS. WE ALSO WONDER WHETHER FRG, AS
INTENDED HEIR TO THIRD REICH RECORDS AT SUCH TIME AS
A TURN-OVER AGREEMENT IS NEGOTIATED, MIGHT NOT BE
PERMITTED TO HAVE ACCESS TO ALL FILES, EVEN THOSE
OF PERSONS WHO SUBSEQUENTLY BECAME US CITIZENS OR
ALIEN RESIDENTS AND HENCE ENTITLED TO SPECIAL PROTEC-
TION OF PRIVACY ACT.GEORGE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 18 AUG 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975USBERL01678
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750285-0199
From: USBERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750842/aaaabkpd.tel
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Reference: 75 USBERLIN 1510, 75 STATE 172353
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Review Authority: ElyME
Review Comment: n/a
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